

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRUSTEES OF THE BRICKLAYER LOCAL
NO. 7 PENSION TRUST,

No. C-09-04604 JCS

Plaintiffs,
v.

**ORDER FOR ADDITIONAL
MATERIALS**

GENTRY MASONRY CORP.,
Defendant.

In this ERISA enforcement action, Plaintiffs bring a Motion for Default Judgment seeking entry of default judgment and an order awarding unpaid withdrawal liability. The Motion came on for hearing on Friday, May 7, 2010 at 1:30 p.m. At the hearing, the Court requested supplemental materials, including a copy of the original notice containing the amount of Gentry's withdrawal liability, referenced in paragraph 8 of the complaint. Plaintiffs have now provided a copy of that letter, dated June 27, 2008. Although the copy provided to the Court does not include a signature page, the letter appears to have been written by Sharon Turner, of Allied Administrators. The letter reflects that the amount of Defendants' withdrawal liability was \$145,134.58. This amount differs from the amount of withdrawal liability alleged in the complaint and stated in the Motion of \$135,286.35.

The Court requests that Plaintiffs provide, within **fourteen (14) days** of the date of this order, a declaration from their Administrator, preferably the individual who calculated the

1 withdrawal liability stated in the June 27, 2008 letter, addressing the calculation of Gentry's
2 withdrawal liability and attesting to the accuracy of the amount sought in the Complaint and in the
3 Motion.

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5 Dated: May 24, 2010

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JOSEPH C. SPERO
United States Magistrate Judge